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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,460	08/24/2000	Sudesh Kamath	ORCL5665	4382

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EXAMINER

BROWN, TIMOTHY M

ART UNIT	PAPER NUMBER
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1648

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/645,460	Applicant(s) KAMATH ET AL	
	Examiner Tim Brown	Art Unit 1648	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This non-final Office Action is responsive to Applicants' amendment submitted April 16, 2004.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12, 16-27, 31-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Spiegel et al. (US 6,629,079 B1) ("Spiegel").

Regarding claims 1, 16 and 31, Spiegel teaches a computer-implemented method, system, and machine-readable medium for processing a purchase request from a customer over a computer network, comprising the steps and programming instructions of:

receiving a first online purchase request for a first item over the computer network (abstract, line 10; col. 4, lines 13-16);

retrieving pre-stored information about the customer from a database of customer information (col. 4, lines 16-28);

generating a first quote that includes an identification of the first item and the retrieved information (col. 4, lines 61-67; col. 5, lines 48-51);

allowing modifications to be made to the first quote, the first quote lasting at least until a consolidation interval has elapsed (col. 4, line 67; col. 5, lines 1-6)

launching a quote conversion process, the quote conversion process being configured to determine whether the first quote has remained unmodified at least for the consolidation interval (col. 6, lines 31-34); and

converting the first quote to a first executable order responsive to the launching step when the quote conversion process determines that the first quote has remained unmodified at least for the consolidation interval (col. 6, lines 31-34).

Regarding claims 2, 17 and 32, Spiegel teaches wherein the received purchase request includes a click of a pointing device coupled to a client computer device (col. 4, line 32).

Regarding claims 3, 18 and 33, Spiegel teaches wherein the quote generating step includes a step of generating an order status Web page that is viewable by the customer, the order status Web page displaying selected details of the first quote (col. 6, lines 28-31).

Regarding claims 4, 19 and 34, Spiegel teaches wherein the order status Web page is configured to refer to the first quote as a pending order (col. 6, lines 28-31).

Regarding claims 5, 6, 20, 21, 35 and 36, Spiegel teaches wherein at least one of the customer, a process and an authorized person modifies the first quote (col. 4, line 67; col. 5, lines 1-6).

Regarding claims 7, 22 and 37, Spiegel teaches wherein the quote conversion process is launched at a selectable interval (col. 6, lines 31-34).

Regarding claims 8, 23 and 38, Spiegel teaches wherein the consolidation interval is measured from a time at which the quote conversion process is launched (col. 6, lines 31-33).

Regarding claims 9, 24 and 39, Spiegel teaches wherein the quote conversion process continuously (col. 6, lines 31-33).

Regarding claims 10, 25 and 40, Spiegel teaches sending the first executable order to an order fulfillment system (col. 6, lines 7-11).

Regarding claims 11, 26 and 41, Spiegel teaches the steps of receiving a second online purchase request for a second item from the customer, and adding the second item to the first quote when the quote conversion process determines that the first quote has remained unmodified for a period of time that is less than the consolidation interval (col. 6, lines 24-25 and 34-35).

Regarding claims 12, 27 and 42, Spiegel teaches receiving a second online purchase request for a second item from the customer, and adding the second item to the first quote when the quote conversion process determines that the first quote has remained unmodified for a period of time that is less than the consolidation interval (col. 6, lines 24-25 and 34-35).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3-5, 7-14, 16, 18-20, 22-29, 31, 33-35 and 37-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of "Arrow" ("Arrow adds weapon to online arsenal" Electronic Buyer's News (November 8, 1999)).

Regarding Claims 1, 3-5, 7, 10-14, 16, 18-20, 22, 25-29, 31, 33-35, 37 and 40-44, Hartman teaches receiving an online purchase request for a first item (Abstract; and col. 3, lines 46-48), retrieving pre-stored information about the customer (col. 3, lines 38-42; and col. 5, line 66 – col. 6, line 4), generating a first quote that includes an identification of the first item and the retrieved information (Fig. 1C, chars. 108, 106 and 107; col. 3, lines 60-63; and col. 4, lines 37-41), allowing modifications to be made to the first quote by a customer (col. 3, lines 64-67; and col. 4, lines 33-35 and 46-58), and converting the first quote to a first executable order (Abstract; col. 4, lines 33-35). Hartman further teaches generating an order status Web page displaying selected details of the first quote, wherein the Web page is configured to refer to the first quote as a pending order (Fig. 1C). Hartman further teaches receiving a second online purchase request for a second item, and adding it to the first quote (1) prior to the first quote being converted to an order, and (2) when the quote conversion process determines that the first quote has remained unmodified for a period of time that is less than a consolidation interval (Fig. 1C; col. 5, lines 43-55; and col. 7, lines 58-60). Hartman also teaches sending the first executable order to an order fulfillment center (Abstract; and col. 4, lines 33-35). Finally, Hartman teaches receiving a second online purchase request for a second item from the customer, and generating a second quote that includes an identification of the second item and the retrieved information when the quote conversion process determines that the first quote has remained unmodified for a

period greater than the consolidation interval (Fig. 1C; col. 5, lines 43-55; and col. 7, lines 58-60).

Hartman does not expressly teach “the quote conversion process being configured to determine whether *the first quote* has remained unmodified” (Emphasis added). Hartman does however determine whether the first quote has been followed by subsequent quotes within a predetermined time (col. 5, lines 48-51). If it is not, Hartman inherently provides the first quote is converted to an order in its unmodified state. Thus, Hartman and the invention function in the same way, only the invention involves a single quote. Arrow teaches this use of a single quote through sourcing application which allows customers to update a single order for a predetermined time (p. 1, lines 2-9). Using a single quote would enable customers to organize their transaction into a single order, as well as update previously place order quantities. Therefore, at the time of Applicants’ invention, it would have been obvious to modify Hartman to include Arrow’s teaching of modifying a single quote.

Claims 2, 15, 17, 30, 32 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of Arrow and Official Notice.

Regarding Claims 2, 17 and 32, Hartman and Arrow teach all the limitations noted above. Hartman and Arrow do not expressly teach “wherein the received purchase request includes a click of a pointing device coupled to a client computer device.” However, the Examiner takes Official Notice that communicating a purchase order by using a mouse-click is old and well known. Therefore, at the time of Applicants’ invention, it would have been obvious to one of ordinary skill in the art, to modify Hartman and Arrow to include wherein

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the received purchase request includes a click of a pointing device coupled to a client computer device. This combination would facilitate the submission of purchase requests by implementing a widely available communication device.

Regarding Claims 15, 30 and 45, Hartman and Arrow teach all the limitations noted under Claims 1, 16 and 31. Hartman and Arrow do not expressly teach “the step of sending an email to the customer when the first quote is converted into the first order.” However, sending customers a purchase confirmation by email is old and well known in the Internet commerce art. Consequently, at the time of Applicants’ invention, it would have been obvious to one of ordinary skill in the art, to modify Hartman and Arrow to include the invention’s sending step since this combination would provide users with a notification that their order has been received.

Claims 6, 21 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of Arrow and Parker (US 4,958,368).

Hartman and Arrow teach all the limitations discussed under Claims 5, 20 and 35. Hartman and Arrow do not expressly teach “wherein the at least one authorized person includes the customer and a sales representative.” However, Parker teaches an online method for establishing a service wherein a customer service agent corrects information relating to a customer service account (Abstract; and col. 11, lines 7-10). At the time of Applicants’ invention, it would have been obvious to one of ordinary skill in the art, to modify Hartman and Arrow to include “wherein the at least one authorized person includes the customer and a sales representative.” This combination would provide an additional level of customer service by permitting service representatives to manage users’ accounts.

Claims 15, 30 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spiegel in view of Official Notice.

Regarding Claims 15, 30 and 45, Spiegel teaches all the limitations noted under Claims 1, 16 and 31. Spiegel does not expressly teach “the step of sending an email to the customer when the first quote is converted into the first order.” However, sending customers a purchase confirmation by email is old and well known in the Internet commerce art. Consequently, at the time of Applicants’ invention, it would have been obvious to one of ordinary skill in the art, to modify Spiegel to include the invention’s sending step since this combination would provide users with a notification that their order has been received.

Response to Arguments

Applicant argues Hartman does not teach determining “whether the first quote has remained unmodified . . . for the consolidation interval,” and “converting the first quote to a first executable order . . . when the first quote has remained unmodified for at least the consolidation interval.” Remarks, pp. 13-14. The Examiner respectfully submits Hartman teaches this feature with the exception of monitoring the single quote. Hartman converts a single order to an unmodified executable order if no other additional orders have been entered within the consolidation interval (col. 5, lines 48-50). Thus, the single order is processed in an unmodified state if Hartman’s service system determines no other orders have been submitted within the consolidation interval.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Brown whose telephone number is (571) 272-0773.

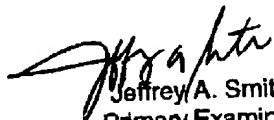
The examiner can normally be reached on Monday - Friday, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Housel can be reached on (571) 272-0902. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tim Brown
Examiner
Art Unit 1648

tb


Jeffrey A. Smith
Primary Examiner